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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA


'08 MJ 82 28

UNITED STATES OF AMERICA)	Magistrate Case No.:
)	
Plaintiff,)	COMPLAINT FOR VIOLATION OF
v.)	
)	21 U.S.C. § 952 and 960
Saul FIGUEROA-Fierros(1),)	Importation of a Controlled
Gilberto RUIZ-Ramirez(2),)	Substance (Felony)
)	
Defendants.)	


The undersigned complainant being duly sworn states:

That on or about March 13, 2008, within the Southern District of California, defendants Saul FIGUEROA-Fierros and Gilberto RUIZ-Ramirez, did knowingly and intentionally import approximately 107.08 kilograms (235.58 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Chad N. Worgen Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 14th DAY OF MARCH 2008.


Pete C. Lewis
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

v.

2 Saul FIGUEROA-Fierros (1)

3 Gilberto RUIZ-Ramirez (2)

4 STATEMENT OF FACTS

5 This complaint is based on the reports, documents, and notes
6 furnished to U. S. Immigration and Customs Enforcement Special
7 Agent Chad N. Worgen.

8 On March 13, 2008, at approximately 0307 hours, Saul FIGUEROA-
9 Fierros entered the United States from the Republic of Mexico at
10 the Calexico, California East Port of Entry, as the driver and
11 registered owner a Ford F-250 truck. Along with FIGUEROA was a
12 sole passenger identified as Gilberto RUIZ-Ramirez.

13 Customs and Border Protection Officer (CBPO) E. Chong was
14 conducting primary inspections. CBPO Chong received a negative
15 oral Customs declaration from FIGUEROA. CBPO Chong tapped the
16 external gas tank located in the bed of the truck, and it sounded
17 solid. CBPO Chong removed both FIGUEROA and RUIZ from the vehicle
18 and escorted them on foot into the vehicle secondary office for a
19 pat down. The vehicle was driven into the secondary lot for an
20 intensive inspection.
21

22 Canine Enforcement Officer (CEO) B. Pyburn was requested to
23 screen the vehicle with his Narcotic/Human Detector Dog. CEO
24 Pyburn's canine alerted to the external gas tank. Upon further
25 inspection of the gas tank, CBPO Chong discovered numerous
26 packages. CBPO Chong probed one of the packages, and it produced a
27 green leafy substance that tested positive for marijuana. A total
28 of 11 packages were extracted from the gas tank, with a total

1 weight of 107.08 kilograms (235.58 pounds) of marijuana.

2 FIGUEROA and RUIZ were placed under arrest for violation of 21
3 United States Code 952 and 960, Importation of Controlled
4 Substances.

5 RUIZ was advised of his Constitutional Rights, which he
6 acknowledged and waived, agreeing to answer questions. RUIZ denied
7 knowledge of the marijuana; however, some of his statements were
8 inconsistent. RUIZ stated FIGUEROA knew he was unemployed and was
9 in need of money and employment.

10 RUIZ stated he was going to his first day of construction work
11 with FIGUEROA in El Centro, California; however, he first failed to
12 mention that FIGUEROA insisted that he take a taxi to the Calexico
13 East Port of Entry, instead of walking across the Calexico West
14 Port of Entry, which is much closer to RUIZ' residence.

15 RUIZ also stated two days prior, he and FIGUEROA crossed the
16 Calexico Port of Entry in the same Ford F-250 truck. RUIZ stated
17 on that day, they purchased a new pump for the external gas tank,
18 and purchased two shovels. Upon cursory inspection of the external
19 gas tank, a new pump was located and two shovels were present in
20 the bed of the truck.

21 FIGUEROA and RUIZ were processed and booked into the Imperial
22 County Jail.

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